

COMMISSION ON JUDICIAL PERFORMANCE
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FOR RELEASE
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JUDICIAL PERFORMANCE COMMISSION ISSUES
PUBLIC ADMONISHMENT OF JUDGE LISA GUY-SCHALL

The Commission on Judicial Performance has publicly admonished Judge Lisa Guy-Schall of the San Diego County Superior Court. The admonishment is attached to this memorandum for your convenience. It is also available from the Commission's office.

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The Commission is composed of three judges, two lawyers, and six public members. The Chairperson is the Hon. Frederick P. Horn of Orange County Superior Court in Santa Ana, California.

Due to technical difficulties, the Commission's Web site is temporarily unavailable. If additional information about the public admonishment is needed, contact the Commission's office.

PUBLIC ADMONISHMENT OF JUDGE LISA GUY-SCHALL

The Commission on Judicial Performance has ordered Judge Lisa Guy-Schall publicly admonished pursuant to article VI, section 18(d) of the California Constitution and commission rule 115, as set forth in the following statement of facts and reasons found by the commission:

STATEMENT OF FACTS AND REASONS

Judge Lisa Guy-Schall has been a judge of the San Diego County Superior Court since 1989. Her current term began in January 2003.

On the night of September 12, 2007, around 9:00 p.m., Judge Guy-Schall drove a vehicle in a reckless manner while under the influence of alcohol, and with a blood alcohol level of approximately 0.09 percent. She drove on the wrong side of a divided highway in Escondido, San Diego County; specifically, she drove southbound in the northbound number one lane of Centre City Parkway, at Grand Avenue. She turned onto Grand Avenue and then rapidly accelerated into a left turn. She was stopped by an officer of the Escondido Police Department who observed her conduct. She failed the field sobriety test and was placed under arrest. A blood test was performed within approximately an hour and yielded a result of approximately 0.09 percent blood alcohol. On October 10, 2007, a complaint was filed charging her with driving under the influence of alcohol, a violation of section 23152(a) of the Vehicle Code, and driving while having a 0.08 percent or higher blood alcohol level, a violation of section 23152(b) of the Vehicle Code.

On March 14, 2008, Judge Guy-Schall entered a plea of guilty to alcohol related reckless driving, a violation of Vehicle Code section 23103(a), pursuant to section 23103.5. She was found guilty and convicted of that charge.

Judge Guy-Schall's unlawful action described above evidences a serious disregard of the principles of personal and official conduct embodied in the California Code of Judicial Ethics, including failure to observe high standards of conduct so that the integrity and independence of the judiciary will be preserved (canon 1), and failure to respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary (canon 2). Judge Guy-Schall's conduct described above was, at a minimum, improper action pursuant to article VI, section 18(d)(3) of the California Constitution.

In determining that a public admonishment was appropriate, the commission noted that Judge Guy-Schall has been the subject of prior discipline. Specifically, Judge Guy-Schall received a private admonishment in 1995 and a public admonishment in 1999. The judge's 1995 private admonishment addressed her embroilment in a juvenile dependency case. The judge's 1999 public admonishment addressed her abuse of the contempt power.

Commission members Hon. Frederick P. Horn, Mr. Peter E. Flores, Ms. Barbara Schraeger, Ms. Maya Dillard Smith, Ms. Sandra Talcott and Mr. Nathaniel Trives voted to impose a public admonishment. Hon. Katherine Feinstein would have imposed a private admonishment. Commission members Hon. Judith D. McConnell and Mr. Marshall B. Grossman were recused. Mr. Samuel A. Hardage and Mr. Lawrence J. Simi did not participate.

Dated: September 5, 2008